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GOVERNMENT GAZETTE

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STATE ELECTION COMMISSION, SIKKIM
ASSAMPA VILLA, AMDO GOLAI,
TADONG, GANGTOK - 737102

No. 31/SEC/ 07-08.

Dated:- 7/3/08.

NOTIFICATION

In exercise of the powers conferred by Article 243ZA read with Section 14 of the Sikkim Municipalities Act, 2007 and rule 30 of the Sikkim Municipalities (Conduct of Election) Rules, 2007 the State Election Commission of Sikkim hereby makes the following orders, namely :-

1. These orders may be called the Municipalities Elections (Reservation and Allotment of Symbol) Order, 2008.
2. It shall come into force with effect from the date of its publication in Sikkim Government Gazette.
3. For the purpose of this Order, Symbols are either 'reserved' or 'free' as shown in Table I and Table II, respectively, in the Schedule appended to this order. A "reserved symbol" is a symbol which is reserved for a recognized political party for exclusive allotment to a contesting candidate or candidates set up by that party. A "free symbol" is a symbol other than a reserved symbol.

Explanation:-

For the purpose of these orders, a recognized political party means a political party as may be recognized by the Election Commission of India as a National Party or State Party of the State of Sikkim.

4. (1) A candidate set up by a recognized political party shall choose, and be allotted, the symbol reserved for that party and no other symbol.
   (2) A reserved symbol shall not be chosen by, or allotted to, any candidate other than a candidate set up by a recognized political party for whom such symbol has been reserved.
   (3) A candidate shall be deemed to be set up by a recognized political party if :-

      (a) The candidate has made a declaration to that effect in his nomination paper.

(b) A notice in writing to that effect in Form II has, not later than 3 p.m.on the last date of withdrawal of candidatures, been delivered to the Municipal Returning Officer concerned,

(c) The said notice is signed by the President, the Secretary or by any other office-bearer of such recognized political party, duly authorized by the party to send such notice, and

(d) The name and specimen signature of such authorized persons are sent to the District Collectors and Municipal Returning Officer concerned in Form I well in advance before the expiry of the last date and hour appointed for making nomination.

5. (1) Any candidate other than a candidate set up by recognized political party in the election shall choose and be allotted one of the "free symbols" specified in Table II, in accordance with provisions set out herein below.

(2) Where any free symbol has been chosen by only one candidate, the Municipal Returning Officer shall allot that symbol to that candidate and to no one else.

(3) Where the same free symbol has been chosen by several candidates at such election, then-

(a) If of those several candidates only one is a candidate set up by an un-recognised registered political party and all the rest are independent candidates, the Municipal Returning Officer shall allot that free symbol to the candidate set up by the unrecognized registered political party and no one else.

(b) If of those several candidates, two or more are set up by the different un-recognised registered political parties and the rest are independent candidates, the Returning Officer shall decide by lot to which of the two or more candidates set up by the different un-recognised registered political parties the free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else.

(c) If of those several candidates, being all independent candidates the Municipal Returning Officer shall decide by lot to which of those independent candidates that free symbol shall be allotted and allot that free symbol to the candidate on whom the lot falls and to no one else.

6. The Commission may issue such instructions and directions which may be necessary for the clarification of any of the provisions of this order or for the removal of any difficulty which may arise in relation to the implementation of any such provisions.

By order and in the name of State Election Commission of Sikkim,

Secretary
State Election Commission
Sikkim

TABLE I

RESERVED SYMBOLS

	Recognised Political Parties.	Symbol Reserved
1.	Indian Congress	Hand
2.	Bharatiya Janta Party	Lotus
3.	Communist Party of India	Ears of Corn & Sickle
4.	Communist Party of India (Marxist)	Hammer, Sickle & Star
5.	Janata Dal	Chakra (Wheel)
6.	Janata Party	Haldar Within Wheel (Chakra Haldar)
7.	Samanta Party	Flaming Torch
8.	Sikkim Democratic Front	Umbrella

TABLE II

FREE SYMBOLS

1.	Aeroplane	15.	Sewing Machine	29.	Table Lamp
2.	Bucket	16.	Boy and Girl	30.	Telephone
3.	Car	17.	Jeep	31.	Top
4.	Chair	18.	Inkpot and pen	32.	Axe
5.	Clock	19.	Kettle	33.	Wool
6.	Drum	20.	Jug	34.	Ship
7.	Eagle about to fly	21.	Motor Cycle	35.	Sparrow
8.	Fish	22.	Lady purse	36.	Tractor
9.	Goat	23.	Whistle	37.	Electric Bulb
10.	Hand Pump	24.	Violin	38.	Flower
11.	Hurricane Lamp	25.	Ladder	39.	Bow and Arrow
12.	Lock and Key	26.	Apple	40.	Trumpet
13.	Pot	27.	Cart	41.	Star
14.	Radio	28.	Table Fan	42.	Kite
				43.	House